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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/679,175	10/03/2003	Terry L. Miller	03-308	2301

7590 03/16/2005
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EXAMINER	
PHAM, MINH CHAU THI	
ART UNIT	PAPER NUMBER
1724	

DATE MAILED: 03/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/679,175

Applicant(s)

MILLER ET AL.

Examiner

Minh-Chau T. Pham

Art Unit

1724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mann (4,487,618).

Mann discloses a filter assembly comprising a center support (68) having a filter head attachment (28) adjacent one end, a bowl (32) attachment adjacent an opposite end, and a plurality of radial openings (69, col. 2, lines 41-44) disposed in the center support (68) and being located between the ends, and a metallic screen filter element (54, 56, col. 2, line 66 through col. 3, line 3) mounted around the center support (68). Mann further discloses the filter assembly having a first end cap (70) in contact with the metallic screen and the center support adjacent to one end (see col. 2, lines 44-54), and a second end cap (80) in contact with the metallic screen and the central support adjacent the opposite end (see col. 2, lines 55-65). Mann further discloses a method of servicing a filtration portion of a fluid system comprising the steps of either detaching the filter from a filter head or reattaching a new filter back in a filter head. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide a center support connected both the filter head and the bowl since the central support would provide firm support for the filter element from the force of fluid passing through, hence, the filtration efficiency would be improved significantly.

Response to Arguments

Applicant's arguments filed on December 20, 2004 have been fully considered but they are not persuasive.

Applicant argues that "neither of the cited references Flynn and Hoffman, Jr. et al teach a center support having attachments at opposite ends as in Applicants' claimed invention". The Examiner now drops both references Flynn and Hoffman, Jr. et al, and newly introduces Mann as the primary reference to show a filter assembly comprising a center support (68) having a filter head attachment (28) adjacent one end, a bowl (32) attachment adjacent an opposite end, and a plurality of radial openings (69, col. 2, lines 41-44) disposed in the center support (68) and being located between the ends, and a metallic screen filter element (54, 56, col. 2, line 66 through col. 3, line 3) mounted around the center support (68). Mann further discloses the filter assembly having a first end cap (70) in contact with the metallic screen and the center support adjacent to one end (see col. 2, lines 44-54), and a second end cap (80) in contact with the metallic screen and the central support adjacent the opposite end (see col. 2, lines 55-65). Mann further discloses a method of servicing a filtration portion of a fluid system comprising the steps of either detaching the filter from a filter head or reattaching a new filter back in a filter head. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide a center support connected both the filter head and the bowl since the central support would provide firm support for the filter element from the force of fluid passing through, hence, the filtration efficiency would be improved significantly.

Applicant's arguments with respect to claims 1-14 have been thoroughly considered but are moot in view of the new ground(s) of rejection as discussed above.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Smith (3,980,457) discloses a filter/separator.
- Aonuma et al (4,336,043) disclose a filter unit.
- McKendrick (4,409,005) discloses an apparatus for separating liquid and solid contaminants from a flowing gas.
- Daniels (5,122,167) discloses a free flow gas filter assembly.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh-Chau T. Pham whose telephone number is (571) 272-1163. The examiner can normally be reached on Mon/Tues/Thur/Fri 7:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on (571) 272-1166. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Minh-Chau Pham
Patent Examiner
Art Unit: 1724
March 14, 2005